

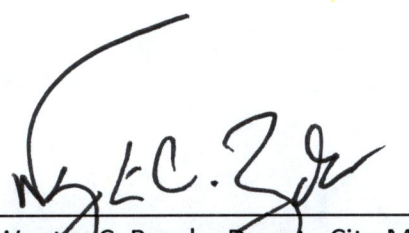


To the Honorable Council
City of Norfolk, Virginia


February 24, 2015

From: Darrell R. Crittendon-Director of Recreation,
Parks & Open Space

Subject: Resolution to authorize the City of Norfolk to work with the Army Corps of Engineers to petition Virginia Department of Game and Inland Fisheries for permission to install "No Wake" markers in the Elizabeth River

Reviewed: 
Wynter C. Benda, Deputy City Manager

Ward/Superward: Citywide

Approved: 
Marcus D. Jones, City Manager

Item Number: R-3

I. **Recommendation:** Adopt Resolution

II. **Applicant:** Department of the Army
U.S. Corps of Engineers
Norfolk District, Fort Norfolk
803 Front Street
Norfolk, VA 23510

III. **Description**

This agenda item is a proposed resolution for the U.S. Army Corps of Engineers to petition the Virginia Department of Game and Inland Fisheries for permission to install "No Wake" markers in the Elizabeth River adjacent to Third and Front streets to the midtown tunnel, a distance of approximately one-half mile. The Elizabeth River is currently designated "No Wake" from the Berkley Bridge northward to the U.S. Army Corps of Engineers extension.

The Virginia Department of Game and Inland Fisheries requires local government approval of agencies or individuals petitioning for aids to navigation and regulatory markers.

IV. **Analysis**

The proposed establishment of the No Wake Zone is designed to minimize hazards and protect the U.S. Army Corps of Engineers' property and provide for safe vessel navigation.

V. Financial Impact

The installation of the "No Wake" will not have a financial impact on the City of Norfolk.

VI. Environmental

The installation of the "No Wake" markers will provide protection from wakes created by daily Elizabeth River traffic.

VII. Community Outreach/Notification

Public notification for this agenda item was conducted through the City of Norfolk's agenda notification process. On Thursday, January 29, 2015, Department of Recreation, Parks & Open Space (RPOS) contacted Andrew Sinclair of the Virginia Port Authority and the Harbor Pilots. RPOS was assured that there would be no impact on shipping lanes.

VIII. Board/Commission Action

N/A

IX. Coordination/Outreach

This letter has been coordinated with the City Attorney's Office, the Department of Recreation, Parks & Open Space and the Virginia Port Authority.

Supporting material from the Department of Recreation, Parks & Open Space:

- Resolution
- U.S. Army Corps of Engineers Application for Establishment of Regulatory Markers

1/21/15 shb

Form CCO-005

Form and Correctness Approval:

By

Office of the City Attorney

NORFOLK, VIRGINIA

Contents Approved:

By

DEPT.

Recreation Parks
Open Space

Resolution

A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO WORK COOPERATIVELY WITH THE CORP OF ENGINEERS TO PETITION THE VIRGINIA DEPARTMENT OF GAME AND INLAND FISHERIES FOR PERMISSION TO INSTALL REGULATORY (NO WAKE) MARKERS IN THE ELIZABETH RIVER ADJACENT TO 3RD AND FRONT STREETS TO THE MIDTOWN TUNNEL.

- - -

WHEREAS, there is a body of water in Norfolk known as Elizabeth River; and

WHEREAS, there are currently no regulatory markers in the Elizabeth River near the Corps of Engineers headquarters building establishing a no wake zone, a condition that is insufficient to protect property and provide for safe navigation; and

WHEREAS, the City desires to render the passage of water craft in Elizabeth River as safe as possible; now therefore,

BE IT RESOLVED by the Council of the City of Norfolk:

Section 1:- That the City Manager is authorized to work cooperatively with the Corps of Engineers to petition the Virginia Department of Game and Inland Fisheries for permission to place regulatory no wake markers in the Elizabeth River adjacent to 3rd and Front Streets to the Midtown Tunnel.

Section 2:- That this resolution shall be in effect from and after its adoption.

COMMONWEALTH OF VIRGINIA DEPARTMENT
OF GAME AND INLAND FISHERIES

*Application for Establishment of Regulatory Markers on
Public Waters of Virginia*

Date of Application 12 December 2014 Proposed Date of Installation 3 March 2015

A. APPLICANT

1. Name of Political Subdivision or Agency
United States Army Corps of Engineers Telephone Number 757-201-7665
2. Name and address of individual to be responsible for installation and maintenance
John Joines - 803 Front St. Daytime Tel. No. 757-408-4535
Norfolk, VA. 23510

B. NECESSITY OF REASON FOR REQUESTED MARKERS

1. Attach a letter, with two signed copies, addressed to the correct regional office:
Please follow this link www.dgif.virginia.gov/about/offices/ to find the appropriate region office to mail your application Attn: Region Captain
NOTE: In the City of Richmond, please mail to the Charles City Regional office.
2. Political subdivision – attach three copies of public notice and proposed regulation or ordinance, which has been issued prior to this application.

C. LOCATION OF MARKERS

Body of Water: Elizabeth River County: City of Norfolk

1. Attach three copies of a map, chart section, or drawing to a scale which will readily depict the proposed zoned area to its surroundings showing the location of each marker to be placed in the water and its relation to nearby channels and water patterns. Have inset or attachment showing type of marker to be used at each location.

Latitude: 36° 51' 30.82" N Longitude: 76° 18' 40.63" W
36° 51' 12.47" N 76° 18' 16.28" W

D. MARKERS

Type and Number of Markers: "NO WAKE Buoy" 2 EA.

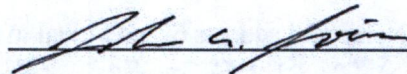
1. All markers must conform to specification as listed in Rules of Establishment of Uniform Regulatory Markers. State below names of manufacturer of commercial markers that will be used, or, if obtained otherwise, indicate source.

Norfolk Marine Co., Paxton Co.

E. CERTIFICATION

The applicant hereby agrees and certifies that all markers authorized by the Department will be installed and maintained at no expense to the Department; that all such markers will conform to the specifications, standards and conditions set forth in "Rules for Establishment of State Uniform Regulatory Markers on Public Waters of Virginia" and may be inspected at any time, without prior notice, by authorized personnel. Should markers not be maintained in satisfactory condition, the Department may order them removed at no expense to the Department. The applicant agrees that the Department of Game and Inland Fisheries will not be held liable with respect to any and all claims that may result from the installation and maintenance of such markers and the marking of any waters does not convey any exclusive privileges.

(Signature)



(Title)

Floating Plant Manager

INSTRUCTIONS:

Please follow this link <http://www.dgif.virginia.gov/about/offices/>

To find the appropriate region office to mail your application Attn: Region Captain

NOTE: In the City of Richmond, please mail to the Charles City Regional office

Updated March 31, 2014



Reply to
Attention of

DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
NORFOLK DISTRICT
FORT NORFOLK
803 FRONT STREET
NORFOLK VA 23510-1011

CENAO-WR-O-N

12 December 2014

MEMORANDUM FOR RECORD

SUBJECT: NECESSITY FOR REGULATORY MARKERS, "NO WAKE" buoys

The United States Army Corps of Engineers (USACE), Norfolk District has and maintains a dock for its patrol and survey vessels located on the Elizabeth River in the city of Norfolk. Currently due to regulatory markers not being in place, there is no protection from wakes created by the daily traffic on the river. The wakes that are being produced by this traffic are causing damage to both our moored vessels (equipment falling to the deck, damage to the exterior of our vessels) and our dock (cracked pilings, damage to our rubber bumpers). This environment is also creating a safety issue for our personnel that work on the vessels, having instances where personnel have been tossed around and have fallen due to the severity of the wakes.

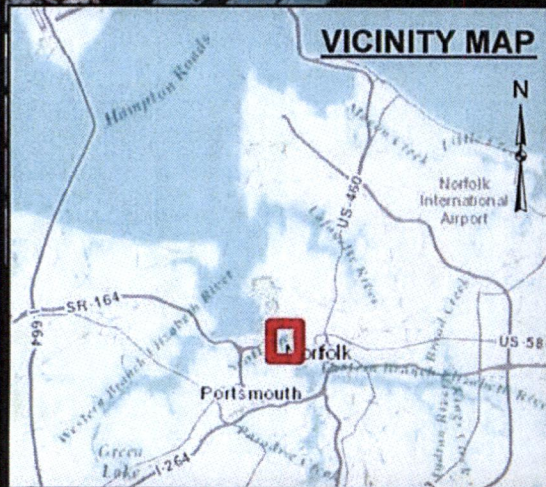
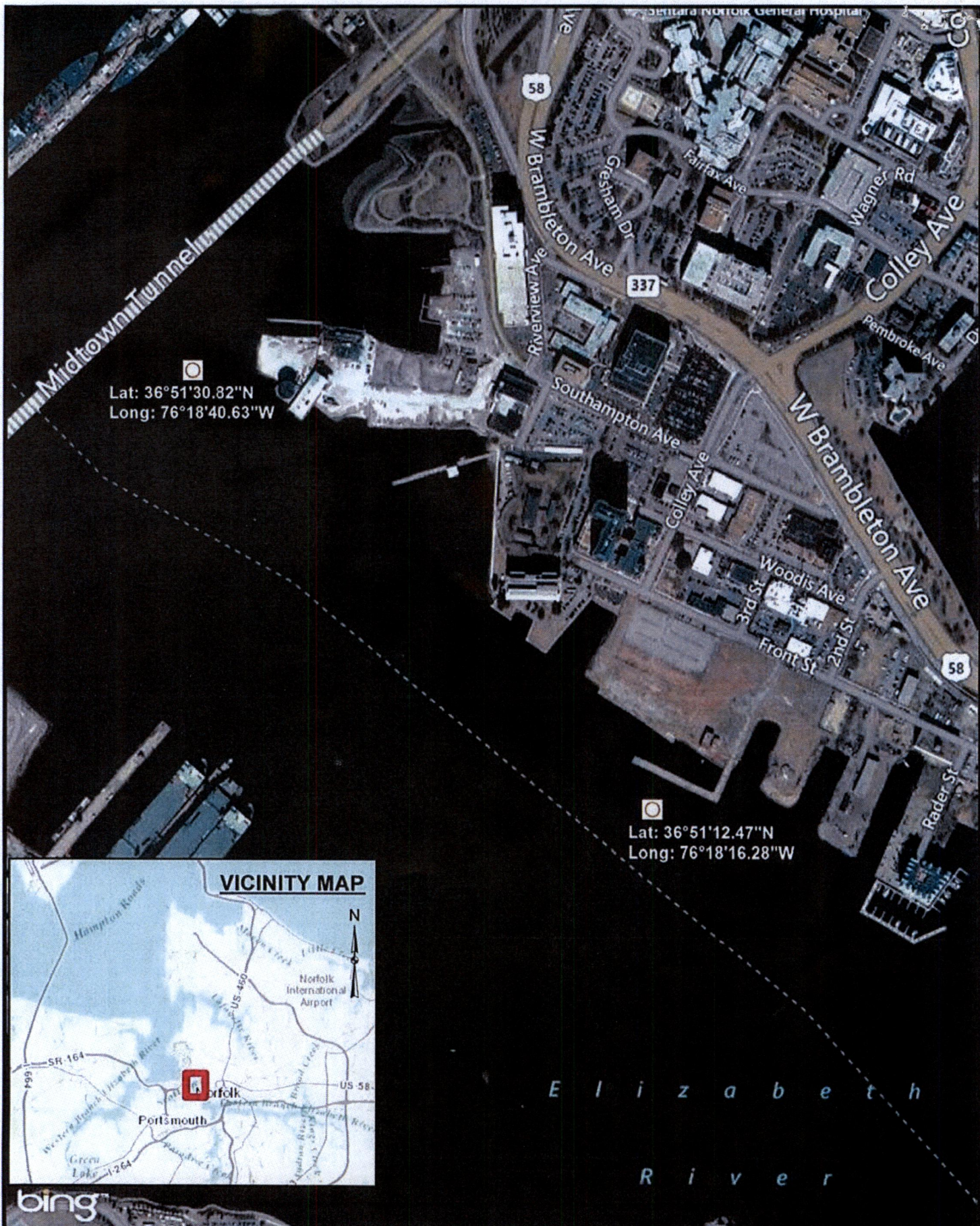
The placement of two "NO WAKE" buoys at the locations shown below and on the attached graphic would minimize hazards and property damaged caused by boat wakes.

Location "NO WAKE" buoy 1: Lat – 36deg51'30.82"N Long – 76deg18'40.63"W

Location "NO WAKE" buoy 2: Lat – 36deg51'12.47"N Long – 76deg18'16.28"W

JOINESJOHN. Digitally signed by
JOINESJOHN.1032667755
DN: cn=JOINESJOHN.1032667755, o=USACE, ou=USACE, email=joinesjohn@usace.army.mil
A.1032667755

John A. Joines
Floating Plant Manager



bing



**Requested
"No Wake" Buoy Locations**
USACE, Norfolk District

Location of Requested "No Wake" Buoys

Background: Bing Imagery/Hybrid, 2013 1 inch = 667 feet

0 100 200 400 Feet

PM: John Joines
Map: NSSS_NoWakeBuoy.mxd
Developed By: Jeff Swallow
Date of Map: 12/12/2014

